

## REMARKS

As noted above, the present application is a Continuation of U.S. Application Serial No. 09/379,983, filed August 24, 1999, the specification of which is incorporated herein by reference.

Claims 1, 4-5, 10-11, and 17-18 have been amended, no claims have been cancelled, claims 24-26 have been added; as such, claims 1-26 are presently pending in the case.

During prosecution of the Parent application, an office action dated April 9, 2003 (the “office action”), rejected claims 1, 4, 6-18 and 20-23 as being anticipated by Kakutani (U.S. Patent No. 6,215,561). The office action also rejected claim 11 under 35 USC § 103(a) as being unpatentable over Kakutani (U.S. Patent No. 6,215,561) as applied to claim 1, and further in view of well known prior art (MPEP 2144.03). Further, the office action rejected claim 17 under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Finally, in that same office action the Examiner objected to claims 2, 3, 5 and 19 indicating they contained subject matter that would be allowable if combined with the elements and limitations of their respective base independent claims and any intervening claims.

In the interest of furthering the prosecution of the Parent case the Applicant placed the objected to subject matter into condition for immediate allowance and cancelled those claims which stood rejected in the office action. The present preliminary amendment addresses additional allowable subject matter as supported by the specification of the Parent case as originally filed.

In the present Continuation, Applicant’s independent claims 1 and 18, as amended, recite “transforming said at least one second set of color values to a second color space, such that the transformed at least one second set of color values in the second color space, when averaged, equal said first set of color values.”

The Applicant asserts that Kakutani does not describe the Applicant’s claimed transformation. Rather, Kakutani appears to describe a color correction module or unit that carries out color correction of lattice point color data, which has been subjected to multi-value coding or the pre-conversion of the tone

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number, and converts the RGB system to the CMY system. (See col. 29, lines 33-36). In order to effectuate this conversion, Kakutani appears to describe using a color correction table with memory such that the color correction tables for the CMY color space are expressed in three-dimensional arrays and conversion data from the RGB color space to the CMY color space are stored in advance in those arrays. (See col. 29, lines 46-49 and 57-58). Kakutani does not describe transforming at least one second set of color values, which are generated from an original or first set of color values, into a second color space such that the transformed at least one second set of color values, when averaged, equal the original RGB value.

As such, Kakutani does not contain each and every element and limitation of the Applicant's independent claims 1 and 18. Accordingly, Applicant's independent claims 1 and 18, currently amended, are allowable over the Kakutani reference.

Applicant has amended claim 17 in order to clarify the language therein. Claim 17, as amended, now recites "dithering generates two or more second sets of color values from a first set of color values." Applicant believes that claim 17 as presented is allowable.

#### NEW CLAIMS

Applicant has added new claims 24, 25 and 26. Claim 24-26 are added to further illustrate distinguishing features of the present application. Claim 24-26 are fully supported by the specification as originally filed, do not introduce any new matter, and are hereby introduced solely for the purpose of exhibiting an additional claimable embodiment available for the application as originally filed. Accordingly, Applicant respectfully requests consideration of the new claims upon review of this case.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (360) 212-8052 to facilitate prosecution of this matter.

If necessary, please charge any additional fees or credit overpayment to the Deposit Account No. 08-2025.

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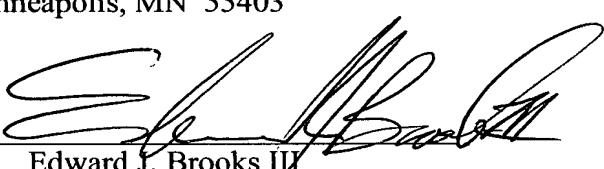
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